



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kirk Patrick Seward et al.

Attorney Docket No.: UCALP026

Application No.: 09/961,079

Examiner: Michael M. Thompson

Filed: September 20, 2001

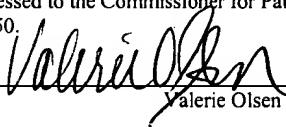
Group: 3763

**Title: METHOD OF INTEVENTIONAL
SURGERY**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on November 17, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed:


Valerie Olsen

RESPONSE TO NOTICE OF ALLOWANCE AND COMMENTS

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance mailed November 4, 2004, enclosed are completed Issue Fee Transmittal Form PTOL-85 and the check for \$991.00 for the required fees, including patent copies.

COMMENTS ON NOTICE OF ALLOWABILITY

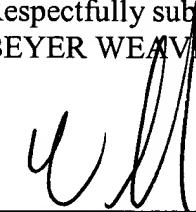
Applicants note that Box Number 3 of the Notice of Allowability was not completed by the examiner, regarding acceptance of the drawings. It was confirmed in a telephone conference between the undersigned's secretary, Valerie Olsen, and Examiner Thompson on November 17, 2004, that the drawings submitted with the filing of the application on September 20, 2001, were, in fact, accepted.

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

We wish to make the following comments on the examiner's reasons for allowance. It is not conceded that the reasons for allowance given by the examiner are the only reasons for which the claims are allowable. It is respectfully pointed out that the claims are also allowable for other and independent reasons.

Please apply any additional charges or credits to our Deposit Account No. 500388.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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Date: 11/12/04

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